

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN M. FITTEN,

Plaintiff,

V.

JOHN E. WHITLEY, Acting Secretary of
the Army,

Defendant.

No. 2:21-cv-00513 TLN AC

ORDER TO SHOW CAUSE

Plaintiff, appearing in pro se, filed a complaint and paid the filing fee on March 22, 2021. ECF No. 1. On March 23, 2021, new civil case documents were issued in this case ordering the plaintiff to complete service of process within 90 days of filing the complaint. ECF No. 3 at 1. Plaintiff was cautioned that failure to complete service within 90 days may result in dismissal pursuant to Fed. R. Civ. P. 40(m). *Id.* The deadline has passed, and no certificate of service has been filed.

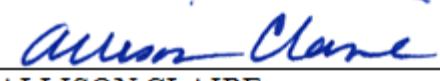
Local Rule 110 provides that failure to comply with court orders or the Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.”

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff is Ordered to Show Cause, in writing no later than July 7, 2021, why this action should not be dismissed for failure to prosecute;

- 1 2. Plaintiff's filing of a proof of service upon defendant will be deemed good cause shown;
2 and
3 3. If plaintiff fails to comply with this order, the case will be dismissed.

4 DATED: June 22, 2021

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6 ALLISON CLAIRE
7 UNITED STATES MAGISTRATE JUDGE

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